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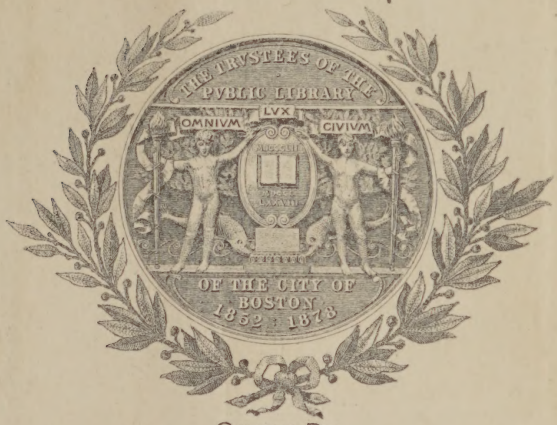

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THE

MAINE LIQUOR LAW,

75 88.278

WITH

AN INTRODUCTION,

AND

AN APPENDIX ON ITS PRACTICAL WORKING.

BY

A CITIZEN OF MAINE.

BOSTON:
JOHN P. JEWETT AND COMPANY.
CLEVELAND, OHIO:
JEWETT, PROCTOR AND WORTHINGTON.
1852.

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INTRODUCTION.

THE MAINE LIQUOR LAW has now been in operation about seven months, and in that short period has effected results which its most ardent friends could never have anticipated. On its first publication, it was looked upon with distrust, even by many of the friends of temperance, and denounced as "barbarous," "unconstitutional," etc., by those great expounders of humane and constitutional law, the knights of the grogshop and their retinue. But time moved on, and but a few weeks had transpired before the law had already yielded fruits which confirmed all the true friends of temperance in its support, and more than confuted, if they did not silence, the vociferous eloquence of those whose craft was in danger. It was fortunate for the law, that its execution in the city of Portland, the chief city in the State, fell into

the hands of a Mayor of great energy and tried temperance principles, (who is understood, indeed, to be the real father of the law,) Neal Dow, Esq., who immediately took measures to carry it into effect, and ever since has administered it with a firm hand, and the most triumphant success. Encouraged and strengthened by the example of this important city, the friends of the law have everywhere rallied around it, till the trade in intoxicating drinks may now be said to be either wholly abandoned, or continued only by sufferance, in all parts of the State.

Under the operation of the law, fines have been imposed, imprisonment adjudged, shops searched and liquor destroyed, almost without a single serious disturbance. Time has proved the law to be a most efficient one, and the moral sentiment of the community has pronounced so strongly in favor of it, that no law in the State is more easily executed.

Nor is this all. The law constitutes an era, and is fast producing the most important revolution on the subject of temperance, not

only in this State, but throughout the Union, and in all civilized countries. It is making converts to the use of law in this matter. There has always been too much hesitancy on this point among temperance men, — too many bugbear abstractions, about personal liberty, the right of property, etc. These scruples, cunningly managed by wily politicians and the enemies of the cause, have hitherto defeated all efficient legal action in the case, and given rise to a succession of laws on the subject, in the different States, which have been mere shams. But as if by a special dispensation of a beneficent Providence, Maine has been allowed to enact a law on this subject which is not only working the greatest transformation both in sentiment and practice within her own borders, but serving as the instructress of the world. Tried by every test upon which we are accustomed to rely to prove the usefulness of a law, — be it the saving of life and property, or the promotion of happiness, virtue, and good neighborhood, — it must be pronounced the most important law which has been framed for many centuries. It may be

modified and improved upon by other States, but in all its essential features it is just what is wanted; it substantially compasses the whole subject, and deserves to be entitled THE MODEL TEMPERANCE LAW.

I will here merely subjoin further by way of preface, the chief provisions of the law, that they may be seen at a glance.

CHIEF PROVISIONS OF THE LAW.

A single agent may be appointed annually by the authorities in each city or town, to sell for medical and mechanical purposes only. Agents to be under the direction of the town authorities and removable at their will, and to give bonds in the sum of six hundred dollars for obedience to the law and the regulations prescribed by their appointers. Any person not so appointed (whether principal or subordinate), to be liable to fines and costs for selling any kind of intoxicating liquor, increasing with each offence, (and being still greater for the regular sale or manufacture of liquors,) and including imprisonment after two offences. The offender

in all cases, to stand committed till the penalty is paid, and not even to be allowed the benefit of the poor man's oath till after a certain period of confinement. Penalties and forfeitures recoverable under the law, to be for the benefit of the poor of the town or city, and to be recovered at the expense of the town. No appeals allowed, except upon heavy bonds given to prosecute the appeal, pay all costs, etc., and to observe the law during the pendency of the appeal; and the defendant to be liable to increased fines, costs, etc., in case of ultimate failure. No person engaged in the sale of liquor to be allowed on a jury in any action arising under the law. Liquor cases to take precedence of all other cases in the courts, except those criminal cases where the parties are actually under arrest and awaiting trial; and no *nolle prosequi*, or continuance to be entered in any case, except the purposes of justice shall require it. Liquor to be seized under a process from a justice or judge, which shall be issued on complaint of any three voters, under oath that they have reason to believe and do believe that it is deposited

and intended for sale in any place, (except it be a dwelling-house, in which case there must first be testimony to at least one act of sale,) and to be destroyed, unless the owner can show that it has been imported direct from some foreign country under the laws of the United States, and is contained in its original packages; the owner or keeper being fined, also, twenty dollars and costs. But if the owner of liquor thus seized is not known, it shall be advertised two weeks, and in case it be shown during that time, that it belongs to the agent of any city or town in the State, and was purchased to be sold by him for medicinal and mechanical purposes only, it shall be surrendered to him. The town authorities are required on information that liquors are sold at any public gathering, to search the suspected places, and in case they find any, to seize them and their keepers, and bring them before a judge or justice, who, on proof that the liquors are intoxicating and were found in the possession of the accused, shall destroy the liquors, and sentence the keeper to thirty days' imprisonment. All payments, labor, obligations,

mortgages, attachments, liens, conveyances, etc., given or made, either in whole or in part for liquors purchased, to be void, and recoverable before the courts, the purchaser being admitted as a witness in the case. And no action to be maintained in any court in the State for the recovery of liquor, or the value of liquor, purchased out of the State.

THE MAINE LAW.

AN ACT

FOR THE SUPPRESSION OF DRINKING-HOUSES AND TIPPLING-SHOPS.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Not to be made, or sold as a beverage.

SECTION 1. No person shall be allowed at any time to manufacture or sell, by himself, his clerk, servant or agent, directly or indirectly, any spirituous or intoxicating liquors, or mixed liquors a part of which are spirituous or intoxicating, except as hereafter provided.

Agents to sell for certain purposes.

SECT. 2. The selectmen of any town, and mayor and aldermen of any city, on the first Monday of May annually, or as soon after as

may be convenient, may appoint some suitable person, as the agent of said town or city, to sell at some central and convenient place within said town or city, spirits, wines or other intoxicating liquors, to be used for medicinal and mechanical purposes and no other; and said agent shall receive such compensation for his services as the Board appointing him shall prescribe; and shall in the sale of such liquors, conform to such rules and regulations, as the selectmen or mayor and aldermen as aforesaid, shall prescribe for that purpose. And such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the board from which he received his appointment, as he may be at any time, at the pleasure of said board.

Said agents to give bonds, etc.

SECT. 3. Such agent shall receive a certificate from the mayor and aldermen or selectmen by whom he has been appointed, authorizing him as the agent of such town or city to sell intoxicating liquors for medicinal or mechanical purposes only; but such

certificate shall not be delivered to the person so appointed, until he shall have executed and delivered to said board a bond with two good and sufficient sureties, in the sum of six hundred dollars, in substance as follows: —

[Know all men that we, —— as principal, and ——, and —— as sureties, are holden and stand firmly bound to the inhabitants of the town of —— (or city as the case may be), in the sum of six hundred dollars, to be paid them, to which payment we bind ourselves, our heirs, executors and administrators, firmly by these presents.— Sealed with our seals, and dated this —— day of ——, A. D. ——.

The condition of this obligation is such, that whereas the above bounden —— has been duly appointed an agent for the town (or city) of ——, to sell within, and for, and on account of said town (or city), intoxicating liquors for medicinal and mechanical purposes and no other, until the —— of ——, A. D. ——, unless sooner removed from such agency.

Now if the said —— shall in all respects conform to the provisions of the law relating

to the business for which he is appointed, and to such rules and regulations as now are, or shall be from time to time established by the board making the appointment, then this obligation to be void; otherwise to remain in full force.]

Penalties for violations, etc.

SECT. 4. If any person, by himself, clerk, servant or agent, shall at any time sell any spirituous or intoxicating liquors, or any mixed liquors, part of which is intoxicating, in violation of the provisions of this act, he shall forfeit and pay on the first conviction, ten dollars and the costs of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay twenty dollars and the costs of prosecution, and shall stand committed until the same is paid; on the third and every subsequent conviction, he shall pay twenty dollars and the costs of prosecution, and shall be imprisoned in the common jail, not less than three months, nor more than six months, and in default of payment of the fines and costs prescribed by this section, for the first and

second convictions, the convict shall not be entitled to the benefit of chapter 175 of the revised statutes, until he shall have been imprisoned two months; and in default of payment of fines and costs provided for the third and every subsequent conviction, he shall not be entitled to the benefit of said chapter 175 of the revised statutes, until he shall have been imprisoned four months. And if any clerk, servant, agent or other persons in the employment or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the principal, and on conviction shall suffer the same penalty.

Penalties, how recovered, etc.

SECT. 5. Any forfeiture or penalty arising under the above section, may be recovered by an action of debt, or by complaint before any justice of the peace, or judge of any municipal or police court, in the county where the offence was committed. And the forfeiture so recovered shall go to the town where the convicted party resides, for the use of the poor; and the prosecutor or com-

plainant may be admitted as a witness in the trial. And if any one of the selectmen or board of mayor and aldermen shall approve of the commencement of any such suit, by endorsing his name upon the writ, the defendant shall in no event recover any costs; and in all actions of debt arising under this section, the fines and forfeitures suffered by the defendant, shall be the same as if the actions had been by complaint. And it shall be the duty of the mayor and aldermen of any city, and the selectmen of any town, to commence an action in behalf of said town or city, against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with proof of the fact.

Conditions and consequences of appeal.

SECT. 6. If any person shall claim an appeal from a judgment rendered against him by any judge or justice, on the trial of such action or complaint, he shall, before the appeal shall be allowed, recognize in the sum of one hundred dollars, with two good and sufficient sureties, in every case so ap-

pealed, to prosecute his appeal, and to pay all costs, fines and penalties that may be awarded against him, upon a final disposition of such suit or complaint. And before his appeal shall be allowed, he shall also, in every case, give a bond with two good and sufficient sureties, running to the town or city where the offence was committed, in the sum of two hundred dollars, that he will not during the pendency of such appeal, violate any of the provisions of this act.— And no recognizance or bond shall be taken in cases arising under this act, except by the justice or judge before whom the trial was had; and the defendant shall be held to advance the jury fees in every case of appeal in an action of debt; and in the event of a final conviction before a jury, the defendant shall suffer and pay double the amount of fines, penalties and imprisonment awarded against him by the justice or judge from whose judgment the appeal was made. The forfeiture for all bonds and recognizances given in pursuance of this act, shall go to the town or city where the offence was committed, for the use of the poor; and if the

recognizances and bonds mentioned in this section shall not be given within twenty-four hours after the judgment, the appeal shall not be allowed; the defendant in the meantime to stand committed.

When agents forfeit their bonds.

SECT. 7. The mayor and aldermen of any city, and the selectmen of any town, whenever complaint shall be made to them that a breach of the conditions of the bond given by any person appointed under this act has been committed, shall notify the person complained of, and if upon hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the inhabitants of any city or town in pursuance of any of the provisions of this act shall be made known to the mayor and aldermen or selectmen, or shall in any manner come to their knowledge, they or some of them shall, at the expense, and for the use of said city or town, cause the bond to be put in suit in any court proper to try the same.

Makers and common sellers.

SECT. 8. No person shall be allowed to be a manufacturer of any spirituous or intoxicating liquor, or common seller thereof, without being duly appointed as aforesaid, on pain of forfeiting on the first conviction, the sum of one hundred dollars and the cost of prosecution, and in default of the payment thereof, the person so convicted shall be imprisoned sixty days in the common jail; and on the second conviction, the person so convicted shall pay the sum of two hundred dollars and costs of prosecution, and in default of payment shall be imprisoned four months in the common jail; and on the third and every subsequent conviction, shall pay the sum of two hundred dollars and shall be imprisoned four months in the common jail of the county where the offence was committed; said penalties to be recovered before any court of competent jurisdiction, by indictment, or by action of debt, in the name of the city or town where the offence shall be committed. And whenever a default shall be had of any recognizance arising under

this act, scire facias shall be issued, returnable at the next term, and the same shall not be continued, unless for good cause satisfactory to the court.

No lawless rumsellers to be jurors.

SECT. 9. No person engaged in the unlawful traffic in intoxicating liquors shall be competent to sit upon any jury in any case arising under this act; and when information shall be communicated to the court, that any member of any pannel is engaged in such traffic, or that he is believed to be so engaged, the court shall inquire of the juryman of whom such belief is entertained; and no answer which he shall make shall be used against him in any case arising under this act; but if he shall answer falsely, he shall be incapable of serving on any jury in this State; but he may decline to answer, in which case he shall be discharged by the court from all further attendance as a juryman.

These cases to stand first for trial, etc.

SECT. 10. All cases arising under this act, whether by action, indictment or com-

plaint, which shall come before a superior court, either by appeal or original entry, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest, awaiting a trial; and the court and prosecuting officer shall not have authority to enter a nolle prosequi, or to grant a continuance in any case arising under this act, either before or after the verdict, except where the purposes of justice shall require it.

Liquors may be searched for and seized.

SECT. 11. If any three persons, voters in the town or city where the complaint shall be made, shall before any justice of the peace or judge of any municipal or police court make complaint under oath or affirmation, that they have reason to believe, and do believe that spirituous or intoxicating liquors are kept or deposited, and intended for sale, by any person not authorized to sell the same in said city or town under the provisions of this act, in any store, shop, warehouse or other building or place in said city or town, said justice or judge shall

issue his warrant of search to any sheriff, city marshal or deputy, or to any constable, who shall proceed to search the premises described in said warrant, and if any spirituous or intoxicating liquors are found therein, he shall seize the same, and convey them to some proper place of security, where he shall keep them until final action is had thereon. But no dwelling-house in which, or in part of which a shop is not kept, shall be searched, unless at least one of said complainants shall testify to some act of sale of intoxicating liquors therein, by the occupant thereof, or by his consent or permission, within at least one month of the time of making said complaint. And the owner or keeper of said liquors, seized as aforesaid, if he shall be known to the officer seizing the same, shall be summoned forthwith before the justice or judge by whose warrant the liquors were seized, and if he fails to appear, or unless he can show by positive proof, that said liquors are of foreign production, that they have been imported under the laws of the United States, and in accordance therewith — that they are contained in the

original packages in which they were imported, and in quantities not less than the laws of the United States prescribe, they shall be declared forfeited, and shall be destroyed by authority of the written order to that effect, of said justice or judge and in his presence, or in the presence of some person appointed by him to witness the destruction thereof, and who shall join with the officer by whom they shall have been destroyed, in attesting that fact upon the back of the order, by authority of which it was done; and the owner or keeper of such liquors shall pay a fine of twenty dollars and cost, or stand committed for thirty days, in default of payment, if in the opinion of the court said liquors shall have been kept or deposited for the purpose of sale. And if the owner or possessor of any liquors seized in pursuance of this section, shall set up the claim that they have been regularly imported under the laws of the United States, and that they are contained in the original packages, the custom-house certificates of importation and proofs of marks on the casks or packages corresponding thereto, shall not

be received as evidence that the liquors contained in said packages are actually imported therein.

Seized liquors, how disposed of, etc.

SECT. 12. If the owner, keeper or possessor of liquors seized under the provisions of this act, shall be unknown to the officer seizing the same, they shall not be condemned and destroyed until they shall have been advertised, with the number and description of the packages as near as may be, for two weeks, by posting up a written description of the same in some public place, that if such liquors are actually the property of any city or town in the State, and were so at the time of the seizure, purchased for sale by the agent of said city or town, for medicinal and mechanical purposes only, in pursuance of the provisions of this act, they may not be destroyed, but upon satisfactory proof of such ownership, within said two weeks, before the justice or judge by whose authority said liquors were seized, said justice or judge shall deliver to the agent of said city or town an order to the officer

having said liquors in custody, whereupon said officer shall deliver them to said agent, taking his receipt therefor upon the back of said order, which shall be returned to said justice or judge.

Appeal of claimants of seized liquors.

SECT. 13. If any person claiming any liquors, seized as aforesaid, shall appeal from the judgment of any justice or judge by whose authority the seizure was made to the district court, before his appeal shall be allowed, he shall give a bond in the sum of two hundred dollars with two good and sufficient sureties to prosecute his appeal, and to pay all fines and costs which may be awarded against him; and in the case of any such appeal, where the quantity of liquors so seized shall exceed five gallons, if the final decision shall be against the appellant, that such liquors were intended by him for sale, he shall be adjudged by the court a common seller of intoxicating liquors, and shall be subject to the penalties provided for in section eight, of this act; and said liquors shall be destroyed as provided for in section

eleven. But nothing contained in this act shall be construed to prevent any chemist, artist or manufacturer in whose art or trade they may be necessary, from keeping at his place of business such reasonable and proper quantity of distilled liquors as he may have occasion to use in his art or trade, but not for sale.

Officers to seize liquors in certain places.

SECT. 14. It shall be the duty of any mayor, alderman, selectman, assessor, city marshal or deputy or constable, if he shall have information that any intoxicating liquors are kept or sold in any tent, shanty, hut or place of any kind for selling refreshments in any public place on or near the ground of any cattle show, agricultural exhibition, military muster or public occasion of any kind, to search such suspected place, and if such officer shall find upon the premises any intoxicating drinks, he shall seize them, and arrest the keeper or keepers of such place, and take them forthwith, or as soon as may be, before some justice or judge of a municipal or police court, with the

liquors so found and seized, and upon proof that said liquors are intoxicating, that they were found in possession of the accused, in a tent, shanty or other place as aforesaid, he or they shall be sentenced to imprisonment in the county jail for thirty days, and the liquors so seized shall be destroyed by order of said justice or judge.

Appeals, fees, former convictions, etc.

SECT. 15. If any person arrested under the preceding section and sentenced as aforesaid, shall claim an appeal, before his appeal shall be allowed, he shall give a bond in the sum of one hundred dollars, with two good sureties, that he will prosecute his appeal and pay all fines, costs and penalties which may be awarded against him. And if on such an appeal the verdict of the jury shall be against him, he shall in addition to the penalty awarded by the lower court, pay a fine of twenty dollars. In all cases of appeal under this act from the judgment of a justice or judge of any municipal or police court, to the district court, except where the proceeding is by action of debt, they shall be con

ducted in said district court by the prosecuting officer of the government, — and said officer shall be entitled to receive all costs taxable to the State in all criminal proceedings under this act, in addition to the salary allowed to such officer by law,— but no costs in such cases shall be remitted or reduced by the prosecuting officer or the court. In any suit, complaint, indictment or other proceeding against any person for a violation of any of the provisions of this act, other than for the first offence, it shall not be requisite to set forth particularly the record of a former conviction, but it shall be sufficient to allege briefly that such person has been convicted of a violation of the fourth section of this act, or as a common seller, as the case may be, and such allegations in any civil or criminal process in any stage of the proceedings, before final judgment may be amended without terms and as matter of right.

Contracts for liquor null and void.

SECT. 16. All payments or compensations for liquors sold in violation of law, whether in money, labor or other property, either real

or personal, shall be held and considered to have been received in violation of law, and without consideration, and against law, equity and a good conscience; and all sales, transfers and conveyances, mortgages, liens, attachments, pledges and securities of every kind, which either in whole or in part, shall have been for or on account of spirituous or intoxicating liquors, shall be utterly null and void against all persons and in all cases, and no rights of any kind shall be acquired thereby; and in any action either at law or equity, touching such real or personal estate, the purchaser of such liquors may be a witness for either party. And no action of any kind shall be maintained in any court in this State, either in whole or in part for intoxicating or spirituous liquors sold in any other State or country whatever, nor shall any action of any kind be had or maintained in any court in this State, for the recovery or possession of intoxicating or spirituous liquors, or the value thereof.

Applies to cities, towns and plantations.

SECT. 17. All the provisions of this act

relating to towns, shall be applicable to cities and plantations; and those relating to selectmen shall also be applied to the mayor and aldermen of cities and assessors of plantations.

Repeal of certain acts, etc.

SECT. 18. The act entitled "an act to restrict the sale of intoxicating drinks," approved August sixth, one thousand eight hundred and forty-six, is hereby repealed, except the thirteen sections from section ten to section twenty-two inclusive, saving and reserving all actions or other proceedings, which are already commenced by authority of the same; and all other acts and parts of acts inconsistent with this act are hereby repealed. This act to take effect from and after its approval by the Governor.

Approved June 2d, 1851.

APPENDIX.

NOTE. The following facts and opinions have been collected from various sources, but chiefly from an Extra of the New England Temperance Journal.

LETTER FROM NEAL DOW, ESQ.

CITY OF PORTLAND,
MAYOR'S OFFICE, Sept. 1851.

To the Citizens of Portland:

The "Act for the Suppression of Drinking-houses and Tippling-shops," passed at the last session of the Legislature, has been in operation in this city about three months, and I think it proper to give the people of Portland some definite information of its results.

At the time of its passage, there were supposed to be in this city from two hundred to three hundred shops and other places where intoxicating liquors were openly sold to all

comers. At the present time, there are no places where such liquors are sold openly, and only a very few where they are sold at all, and that with great caution and secresy, and only to those who are personally known to the keepers, and who can be relied upon not to betray them to the authorities. These places, with one — possibly with two exceptions — are of the lowest character; and so far as they sell these liquors at all, minister to the depraved appetites of the basest part of our population; but the keepers of these places will soon be brought to justice, so that the traffic in intoxicating liquors, to be used as a drink, will be entirely extinguished in this city. The shops which I allude to, are kept almost exclusively by foreigners, and the few persons who are now brought to the lock-up in the watch-house, are the customers of these establishments, and are themselves foreigners almost without exception. The stock of liquors which the keepers of these places had on hand when the law went into operation, will soon be exhausted, and some difficulty will be found by them in replenishing their stores, as the law will enable us

to stop entirely the supplies of these liquors, which have hitherto been received principally by railroad and steamboat.

All those persons, who are now selling these liquors unlawfully in Portland, are doing it on a very small scale; the supplies which the most of them keep on hand are extremely limited in amount, and every precaution is used to conceal them from the police. In one shop searched, was found less than one quart, in two small bottles; in another were found only three bottles, containing less than three quarts, concealed in the cellar behind a board; in another, the liquor was found under the floor, buried in the earth, and some was found in deeper concealment.

Three months ago, there were in this city several wholesale dealers in liquors; but at the present time there is not one; the wholesale business ceased entirely, when the law went into operation. There was but one distillery in the State, at the time of the enactment of this law, though another was in progress on a very large scale. Operations on the latter were promptly stopped, and the

other has been demolished. At the present time there is no distillery in this State.

The results of the law so far, have been more salutary and decisive than its most ardent friends had any reason to anticipate. Although extremely stringent in its provisions, and summary in its processes, it was received by the great majority of the people of this city and of the State, with approbation —and by all, with quiet acquiescence; and in this city, its vigorous execution has been attended with as much quiet as has been experienced in the execution of any other law upon the statute books. This law holds out no inducements to resist its provisions, but makes it decidedly for the interest of all to yield a prompt, if not cheerful obedience to its requirements; and the result of it will be, that the traffic in intoxicating liquors to be used as a drink, will be entirely suppressed in this State.

But some persons may be found, who will make attempts, and perhaps successful ones, to evade this law for a time, and to risk its penalties, under the temptation of large profits, —and thus habits of intemperance

will be continued in a considerable number of our people, particularly of our foreign population; but steady perseverance will enable us at last to bring all such persons to justice, or drive them from the business.

The law as it now stands, will enable the people of this State to suppress the traffic in intoxicating liquors, except in a few low shops where it may be secretly sold, when some additional provisions may be desirable for the entire extinguishment of the traffic, and to prevent it from reviving, when the vigilance of the authorities shall be relaxed; and I am confident that the friends of tem perance in this State are sufficiently numer ous to procure the enactment of any addi tional provisions they may think necessary to accomplish these objects.

The operation of the law in this city has effected a marked change for the better, in every department which is under the care of the police. The night police has comparatively little or nothing to do, there are few or no street-brawls, and it is very seldom that the police or watch are called upon to interfere in any quarrels or disturbances of

any kind in shops or houses in any part of the city. Before the enactment of this law, scarcely a night passed over, without some disturbances of this description, and sometimes the police were called upon to quell many such disturbances in a single night.

At the commencement of the present year, scarcely a night passed over, without the committal to the watch-house, of more or less intemperate persons; and sometimes many such were committed in a single night. The practice formerly was to commit no intoxicated persons who were quiet and able to get home. At present, the orders to the police and watch are, to arrest all persons found in the streets or other public places, either by night or day, who exhibit unmistakable signs of intoxication; yet with all this rigor, the arrests for this cause are very few — sometimes a week or more, and once a fortnight, having elapsed without any committal; and were it not for the low grog-shops, kept secretly by foreigners, the committals to the watch-house would not amount to one in a month, and this difficulty we hope to remedy within the year. The watch-house

is now used to keep seized liquors instead of drunkards, — and through the waste ways of the lock-up condemned liquors are passed off into the common sewers, without having fulfilled their mission of ruin and death to our citizens.

I am assured by the members of the police and watch, that they now have little to do; while before the enactment of the law against tippling-shops, their number was insufficient to preserve entirely the quiet and peace of the city, from the numerous persons to be found in our streets at all times of the night, more or less excited by strong drink.

I am also informed on sufficient authority, that religious meetings held in the evening, formerly suffered serious disturbance and interruption from persons who would come there from oyster-shops and drinking-saloons, strongly excited by intoxicating liquors; but at present no trouble is experienced from this cause.

The operation of our Liquor Law has not yet had time to manifest its effects upon our alms-house establishment; yet, unmistakable indications are already observed of its

final results in that direction. There were in our alms-house, June 2, 1851, (the law was approved on that day,) one hundred and sixteen persons; on the first Monday of August, there were eighty-five; and on the first Monday of September, twenty-one. There were committed to that establishment by the municipal court, in June, July and August of 1850, fourteen persons, — by the overseers in the same months, eleven persons; for the corresponding months of the present year, there were committed by the court and overseers respectively, two and six persons, making eight only, against twenty-five for the same months of last year. A considerable number of persons now remaining in the alms-house, are advanced in life, or imbecile, or otherwise incapable of taking care of themselves; but the most of them were brought upon the city for support through the direct or indirect influence of strong drink.

NEAL DOW, *Mayor.*

REPORT

Made at a meeting of the citizens of Bangor, in the City Hall, Nov. 14, 1851, *on the operation of the Maine Temperance Law.*

In estimating the success of a measure so novel and stringent in its provisions as this, we must not expect too much at once. The law is an experiment as yet. Its very existence as a permanent thing, can hardly be considered as a fixed fact; still less its complete and successful working. We can get only scanty and incomplete statistics of its effect in some few places. How it is likely to work in the State as a whole, we can only judge in part from these.

And there are special reasons for supposing that the statistics of a single quarter, especially the first quarter, are likely to prove less satisfactory than we could wish. A larger stock of liquor than usual was laid in last spring, in anticipation of the law, to be sold secretly, — and this makes up in part for the diminished importation. There are towns within reach of us, where no attempt has been made to put the law in execution. Our ports are open to daily and nightly attempts at smuggling. Maine has been a great market for the liquor trade; a large profit will not be given up without a struggle. All this the law has had to work

against. And so we must allow for considerable drawback, in estimating its effect.

We ought to consider, besides, what from the nature of the case we have a right to expect. No law accomplishes all it aims at. Laws against theft, fraud and murder, have been in force as long as civil society has existed; yet theft, fraud and murder still take place in every large city. This law will not prevent liquor from being imported, or made, or sold, or drank; it will not prevent men from going to ruin or crime by the way of intoxication, or their families from being miserably poor; it will not take away all the public burden of intemperance, in the way of alms-houses and jails. Let us say, once for all, that its purpose is not to interfere with the liberty of the public, but to relieve a public burden. It might be tyrannous to compel men to be honest, or sober, or virtuous; but we have a right to hinder them if we can, from doing their neighbors harm.

We shall only undertake to show that *the law is not a failure.* If it can remove a small part of the existing evil, it will sufficiently vindicate itself. If by means of it there are only fifty drunkards, and thirty ruined families, and twenty commitments for assault, or cases of violence in the street, where there were a hundred before, it will accomplish quite as much as the average of criminal laws. If public burdens caused by intemperance, should be diminished in the

ratio of one half, and not quite as much liquor can be smuggled in as was imported previously, and a fair proportion of dealers stop the sale for want of power to collect their debts, it will be a magnificent "experiment" for the State of Maine.

The law does actually and perfectly accomplish two things. 1st, It puts the temptation to drink out of men's way; so that if one will have liquor, he must take some trouble to find it, instead of having it urged and thrust upon him. 2d, By making all liquor debts null and void, it saves the family of the drunkard from the necessity of penury and ruin. The remnants of the family property, the wife's or widow's wages, or the children's scanty earnings, cannot be seized, as they could once, to feed the source of their misery. These two things the law does at once and perfectly accomplish.

We do not attempt to meet here the objections which have been made to the law in point of principle. The common sense of it is very plain. If the State is bound to undertake to make good the mischief the liquor traffic has caused, if it must guarantee the support of families in the alms-house, and the defence of the community from crime, it is certainly competent to *define the terms.* The State, in this connection, is represented by all those classes of men who are capable of self-support. The honest, temperate and industrious, must bear the burdens of the rest. If (which is a moderate estimate) three

quarters of the pauperism which they must pay for, and half the crime they are likely to suffer by, result from the liquor traffic, they have a right to defend themselves in any way they can. In Wisconsin, dealers in liquors as a class, are made liable for the whole burden. Our way in Maine, we think, is a better way. It prevents the mischief from being done, and then nobody has to pay for it.

The Maine Temperance Law of 1851, is "an act for the suppression of drinking-houses and tippling-shops." It provides that intoxicating liquors cannot be lawfully sold, except by certain salaried agents, "for medicinal and mechanical purposes only." It makes the violator of it liable to search, fine and imprisonment. Without mincing the matter, it aims to break up the ruinous traffic, that breeds the poverty and vice which prey upon the State. It seizes and destroys the article unlawfully held. It compels the authorities, on suitable representation, to search shops or buildings for this purpose. It makes null and void all debts or contracts entered into for the unlawful purchase of intoxicating liquors. And this it does, with the view, first of *defending the public peace and morals;* and secondly, of *diminishing the burdens on the State.*

How far have these two objects been effected in this city during the past quarter, — the first of its operation here ?

In answer to the first, we have the general

testimony of our citizens, as to the greater quiet and better order of our streets, especially at night. We have the particular statement of a watchman, who has been constantly on duty for eight years, and who says that at no time for all that period, have the streets been so safe and quiet. We have the notorious fact, that our watch-house and jail have been nearly tenantless, and that the fourth of July passed without a single commitment by the police. We have the favorable testimony of the city authorities, to the same general effect; and the assurance of the clerk of the county court, that "unquestionably" the expenses of criminal prosecutions will be materially diminished by the working of this law. We have the report of the city marshal, who presents a list of thirty-nine places of sale closed,—twelve of the dealers having left the city, and three having been committed to jail. And, finally, we have all this, in contrast to the disgraceful violence that took place in our streets last winter,—violence resulting twice in murder.

We have obtained from the proper sources the following statistics, which will illustrate this matter in detail.

Commitments to the County Jail. Quarter ending

Sept. 30, 1850, for	Drunk.	12 ;	Assault,	7 ;	Total,	19
June 30, 1851,	"	11	"	3	"	14
Sept. 30, 1851,	"	3	"	5	"	8

Showing a difference in favor of this

quarter of six, as compared with the one previous, and of eleven as compared with the corresponding one last year.

2. *Commitments to the City Watch-house.*

Quarter ending June 30, 1851, 154; Cost, $558,80
" " Sept. 30, 1851, 51 " 75,73
Diff. in favor of this quarter, Cases, 103, Cost, 183,07

3. *Number of places where liquor is sold.* Last spring, 106; at present, some 56; showing a diminution of near 50 per cent., while the quantity sold is estimated to be reduced about 75 per cent. Most of these are Irish *dwelling-houses* of the lowest class, (which cannot be searched without express *proof of a sale*,) where liquor is kept in very small quantities. A city agent has been recently appointed, and the five licensed dealers are notified to stop the sale on or before the first of January next.

4. *Amount of fines* paid to city treasury, $110.

5. *Quantity of liquor* seized and condemned, about 4000 gallons; and a still larger amount reshipped to Boston.

6. *The state of the streets and city*, according to the city marshal's statement, is "improved 75 per cent.," as compared with the previous quarter.

A part of these statistics show merely the *efficiency* of the law; but we call more particular attention to those facts which show the *actual decrease of crime*, and the *positive gain of public morals.*

In answer to the second question, i. e. as

concerns the public burden of pauperism, we have the most ample and satisfactory statements. An overseer of the poor says, "The applications for aid for the last three months have not been *half so numerous* as the three preceding months. This I attribute to the enforcement of the late liquor law. It is, in my opinion, gradually but surely diminishing our pauper expenses; and I hope the day has already dawned upon us, when this fruitful source of pauperism, misery and crime will be entirely banished from our midst."

We quote the following statement from one of our city papers: "We understand that the extra help during haying at the city farm, is all hired. It has heretofore been performed by persons committed to the house of correction for drunkenness, of whom there has never before been a deficiency. *The house of correction is now empty.* The city can afford to hire many things done, when the drain upon the wealth and industry, resulting from the use of ardent spirits, is stopped."

We have also the assurance of those competent to judge, that the operation of the law will be to add some four or five hundred dollars to the amount of the poll taxes of this city. In other words, by taking temptation to drink out of men's way, it creates a body of some hundreds of new citizens, in place of an equal number of degraded and burdensome paupers, or of men who for charity's sake were spared the tax. Even if this

amount is greatly overstated, still a law that promises to restore a hundred or even one, to the lost privilege of manhood, and to equal citizenship, is certainly very far from proving a failure.

In addition to these general statements, we are enabled to present the following statistics: —

1. *Out-door expenses of the Pauper Establishment.* Quarter ending

June 30, '51, (49 sup.) $470,53; '50, (60 sup.) $506,16
Sept. 30, " (28 ") $213,08; " (40 ") $406.43

Showing a reduction of more than fifty per cent. in this department, for the last quarter, against twenty per cent. last year.

2. *Expenses of Alms-house* resulting from intemperance, in 1851.

Quarter ending June 30, $161,53
" " Sept. 30, $ 5,02

Showing a reduction in this one item of $156,51, or *ninety-seven per cent.*

3. *Cost of support of common drunkards* in the House of Correction for Penobscot County, 1851.

Quarter ending June 30, $147,84
" " Sept. 30, $ 40,67

Showing a reduction of $107,14, or 72 1 2 per cent.

And we have the marshal's testimony to the effect, that "considerable improvement" is manifest in the condition of the intemperate classes, from the obstacles in the way of their obtaining liquor; and that the comforts

of many families have been greatly augmented.

These facts, as we conceive, fully prove, that, considering the embarrassments which must beset a law of this nature, especially at the outset, the "Act of 1851, for the suppression of drinking-houses and tippling-shops," *has proved successful;* and that the passage and enforcement of said act is a subject of congratulation for every friend of public economy and morals.

We do not deny that there has been hardship in the execution of the law in particular cases. To this all laws are liable. And we do not overlook the greater difficulties that must be met in carrying it out in towns, where there is no strong municipal government, — especially in towns upon our border, adjoining the territory of a foreign government, and indeed, in all places which admit the coasting-trade. Still, under these heavy disadvantages, we contend that it is doing good now, and is likely to do more good.

In conclusion, we would respectfully urge on all good citizens, and friends of the general morals and peace, the consideration, that if similar laws can be passed and executed in two or three adjoining States, their operation will be more easy, more effectual, and more advantageous to the community.

We are happy to believe, from all that we can learn, that this law has the steady support of the better part of our citizens, and that it is gaining and not losing in popular

favor. In support of this opinion, we refer to the testimony of a prominent citizen of this place, as given in an answer to a communication from certain friends of temperance in Massachusetts. We quote the following words: "The execution of this law obtains the unanimous consent of temperance men; and does enlist others, who have hitherto been inactive." And among these he includes "such as have been addicted to the cup, and have never been able to restrain their appetite, until the law has rendered it almost impossible for them to obtain drink, and their associations less dangerous." Certainly, no higher evidence of its success can be given, than the fact, that it has not only prevented the commission of crime, and saved the State from a heavy burden, but that it has enlisted in its support those very men, for whom it interposes the only barrier against self-degradation and ruin.

GEO. W. SNOW,
J. H. ALLEN,
J. GILMAN,
} *Committee.*

SYNOPSIS

OF LETTERS FROM DIFFERENT PARTS OF MAINE.

QUESTION FIRST.

1. *Does the execution of the Maine Law obtain the unanimous support of Temperance men, and does it enlist others who have hitherto been inactive?*

Neal Dow, Esq., Mayor of Portland. The law calls out new and increased interest (even enthusiasm) from temperance men, and has brought over the timid and wavering. —*Rev. F. Yates, of Gardiner.* The law does have the unanimous support of temperance men, even "moral suasionists," and also of many hitherto inactive, especially business men and men of wealth. — *J. F. Godfrey, Esq., of Bangor.* It does both. Moderate drinkers sustain it, — such for instance as have dissipated relatives; such as employ many laborers; such as do business in neighborhoods where drunkenness has been frequent, but has now diminished; such as have an eye to their pockets and observe the diminution in pauper rates; and such as notice less criminal practice in our courts. — *James M. Lincoln, Esq., of Bath.* The support given to the law comes principally from the friends of temperance, though often with the countenance of those hitherto indifferent, but who

desire to see the experiment fairly tried. The provisions of the law are so simple and so easy of operation, that indifferent persons are not disposed to hinder it. Even those friendly to the use of ardent spirits admit the good results of the law in the improved appearance of our streets, the probable diminution of pauperism, etc. — *Dr. W. A. Rust, of South Paris.* Yes, without hesitation. Many within my knowledge, who would not even sign a petition for the law, seeing the ease and benefit of its operation, now sustain it unhesitatingly. — *Rev. A. Battles, of Bangor.* The law seems to receive the unanimous support of temperance men, except those who have been wholly opposed to legal measures. Many moderate drinkers are quite zealous in its behalf. — *Joshua Nye, Jr., of Waterville.* All friends of temperance say that this is the only temperance law worth anything. — *Nathaniel Wilson, Esq., of Orono.* All regard it as *the* law, and bless it; even drunkards who despised all former laws.

QUESTION SECOND.

2. *Does it create any opposition in the minds of indifferent persons, as a daring invasion of private property?*

Neal Dow, Esq. There is *no* feeling of opposition to the law, except among a small minority of low men; the law carries all opposition before it. — *Prof. Stowe, of Brunswick.* Some, but not much. Most of the opposition here is from *respectable drinkers*, not

from the indifferent, nor from drunkards ; the latter often saying that they are glad to lose the temptation. — *Rev. C. Palfrey, of Belfast.* I really do not remember hearing any opposition to it expressed, or seeing any in the papers in this State. All the opposition I am aware of has come from abroad, from persons whose trade is affected. One of the many remarkable things about the law is, the very little discussion it has occasioned. — *Dr. W. A. Rust.* So far from this, the law has operated to convince many that alcoholic drinks are not property, but the destroyers of property, and to be opposed as such by those who would preserve property. — *A. P. Higgins, of Rockland.* I know not a single instance among a population of 50,000 in this vicinity.

QUESTION THIRD.

3. *Is there or can there be any guarantee of its execution, where the majority of citizens or public officers are opposed or indifferent to it?*

Neal Dow, Esq. The law is easily enforced in any town if you have three temperance men who are not afraid, one good justice of the peace, and one good constable. — *Rev. F. Yates.* The law can and will be enforced wherever there are a few efficient temperance men. Forcible resistance has been tried but twice, and once partially succeeded — in Waterville ; but this will not last long. [The law is *now* enforced in Waterville.] — *Prof. Stowe.* Wherever there is a body of five temperance men they can carry it through, and

have often done so in spite of opposing majorities or magistrates. Waterville is the only instance, in the whole State, of successful resistance. —*Dr. C. Jordan, of East Raymond.* The law alone is full of terrors, where it is suspected that any one is disposed to enforce it; and in the most intemperate neighborhoods no one attempts openly to violate the law. — *Rev. C. Palfrey.* I suppose that in the country generally, any law will be disused to which there is a strong and general opposition. Yet this law has been subscribed to all over the State. When I first read it, I thought the attempt to enforce it here, [Belfast,] would very likely create a riot; but it has been completely executed without difficulty. — *Rev. J. B. Weston, of Skowhegan.* Men will be careful how they oppose a law of the State. A good justice, an officer and three good temperance men, are enough to execute it. *One man* of nerve and determination will gather enough around him to ensure its enforcement almost anywhere. — *James M. Lincoln, Esq.* There need be no difficulty in enforcing the law, provided only a few individuals engage in it. The public officers may stand aloof and a majority of the citizens be indifferent, and yet a few determined individuals may effect great results. This was the case, I am told, in Hallowell, where the people were indisposed to act and the law was at first violated, until a few resolute men engaged in the service. The law places the power more in the hands

of the people and less of authorities than any before. — *A. P. Higgins, Esq.* I believe that in any city or town where there are three or more temperance men who will work and *persevere*, the law can be fully executed. In this lies one of its chief beauties.

QUESTION FOURTH.

4. *Are there yet any indications of re-action?*

Neal Dow, Esq. No indications of re-action; there will be nothing to re-act, for we shall annihilate the traffic. — *Rev. F. Yates.* None. Where the law has been most fully enforced, it is most popular; for instance in Bangor, where there had been very little previous interest, and rum was sold without restraint. Now the law is enforced and heartily approved by all classes. — *Prof. Stowe.* Some, but less than was reasonably to be expected; and chiefly from the influence of Boston rumsellers, enraged at the loss of the Maine market. If we had only our own State to take care of, we should do well. — *Rev. I. C. Knowlton, of Hampden.* None; we all like it better and better. — *Nathaniel Wilson, Esq.* On the other hand, it is gaining friends every day. — *Kendall Brooks, Jr., of Eastport.* There are no indications of re-action. But dealers in liquor at Boston, have declared that no labor or money shall be spared to secure a repeal, and there is great danger that a sufficient number of our legislators can be bought against the bill.

QUESTION FIFTH.

5. *Do dealers abandon the traffic, or do they appear to be only suspending it as if cherishing some hope of repeal or modification?*

Neal Dow, Esq. Dealers have given up; there are no grog-shops, except a few low holes where rum is sold very secretly. — *Rev. F. Yates.* In many instances dealers have already invested their capital in other enterprises; and some are pleased with the change and strongly advocate the law. — *Prof. Stowe.* Mostly they abandon the traffic and get their capital out of it, except the low and the desperate. This is a great excellency of the law, that it makes capitalists afraid to invest. — *Rev. C. Palfrey.* The trade for the present is completely broken up in this town. — *Rev. J. B. Weston.* Generally, dealers appear to have abandoned the traffic; some say they are glad to relinquish it if they know that others will do the same. — *James M. Lincoln, Esq.* Traffickers find it useless to contend against the law, the risk is too great. Some withdraw their capital permanently. — *Dr. Rust.* Dealers generally abandon the traffic voluntarily.

QUESTION SIXTH.

6. *Has the law been in any way mingled with political party movements, or is this likely to occur?*

Neal Dow, Esq. No political party dare say a word against the law; death to such party would follow. — *Dr. C. Jordan.* The law is

much more likely to overcome party associations than to be overcome by them. The same law was passed and vetoed two years since, and the counties then most strongly in its favor were Waldo, the strongest democratic county in the State, and Kennebec, the strongest whig county. — *James M. Lincoln.* The success of the law was attributable to the fact that it was not a party measure, but a movement of the people. — *Dr. Rust.* Neither party would dare to make the law a test in its candidates, either way, yet all the party papers advocate it, more or less faintly; and any party raising the standard of repeal, would inevitably be defeated. — *Joshua Nye, Jr.* All the newspapers in the State, with two exceptions, sustain it.

QUESTION SEVENTH.

7. *Does not the chief power of the law lie in the seizure and confiscation of intoxicating liquors?*

Neal Dow, Esq. Confiscation and seizure are the great things, with the speed and certainty with which penalties follow; no evasion will succeed. — *Rev. F. Yates.* Unquestionably. This removes all deception. The rum-casks *cannot lie*, and they are the only witnesses to be trusted. Another important feature of the law is the removal of all discretion from the courts; this has been a great difficulty heretofore. — *Prof. Stowe.* Exactly. To attack the liquor itself, rather than the drinker or seller, is the true policy. If there is *no rum* the drinker cannot drink, nor the

dealer agitate. — *Dr. C. Jordan.* The chief power of any temperance law lies in its penalties and its certainty. It has been demonstrated in this State, that no law of *uncertain penalties* will have any influence. — *J. E. Godfrey, Esq.* The chief power of the law lies in the seizure of liquors, the imprisonment of the offender, and, if I may coin a word, the *unpropertying* of liquors. — *Rev. C. Palfrey.* By no means. The penalty for the third offence is imprisonment. And perhaps the most effective provision of the statute is that no liquor debt can be enforced by law. —*Rev. J. B. Weston.* Seizure and confiscation are *the power* of the law. These, and the speed and facility with which they are effected, make it impossible to evade the law to any great extent. — *James M. Lincoln, Esq.* No doubt the chief power of the law lies in the seizure and confiscation of liquors, but it also has force in this particular, that it leaves no discretion to the courts; the duty assigned the magistrate cannot be evaded; if there is responsibility, he throws it on the law; his course is marked out for him, and he cannot depart from it.—*Dr. Rust.* Seizure and confiscation form one element of the power of the law. Another, is the penalties affixed to second and third violations, and the obstacles in the way of appeal. Another, is the ease of obtaining evidence against violators, and the impossibility of their escaping when once arraigned.— *Joshua Nye, Jr.* The whole power of the law lies in this;

and with this provision no man, even if he is worth millions, can for any time resist the law. Dealers will admit that the attempt is useless. — *A. P. Higgins, Esq.* In this lies our only hope. Leave this out, and farewell to the suppression of the traffic. — *Nathaniel Wilson.* I cannot designate any single power. It is the *combination* that makes it what it is. —*M. Davis, Esq., of Belfast.* Better have no law at all, at present, unless you can get one making spirituous liquors contraband, and *exposing them to destruction.* All laws without this will only fail. No law against the sale merely, however stringent, can be effectual. Our law of 1846, was everything that such a law could be. As prosecuting attorney for a county league, I carried through some three hundred prosecutions under it. This checked the business, and in a few towns broke it up. But in large places it produced no effect, and was finally dropped. And I am fully convinced *from six years of unceasing effort in this business*, that the only way to stop the traffic in spirituous liquors, is to make them contraband, give the right to search and destroy them where found.

QUESTION EIGHTH.

8. *Would it be desirable to make such a law applicable to the counties separately, or should it be enforced throughout the State?*

Neal Dow, Esq. The law should be uniform throughout the State. — *Prof. Stowe.* For the whole State, decidedly. We suffer most

and are in most danger of failing, because our border States continue the traffic. — *Dr. Jordan.* Throughout the State. Our greatest difficulty proceeds from the adjacent counties of New Hampshire. — *J. E. Godfrey, Esq.* Throughout the State. The non-adoption of the law, even in other States, presents a great difficulty to us. Boston dealers send liquors in every imaginable form. — *Rev. J. Weston.* The law should be uniform throughout the State, and as nearly as possible throughout all the States. At present, Massachusetts is our greatest foe. — *W. C. Wetmore, Esq.* A law applying to counties would be worse than none, because it would inevitably fail of operation, and prevent the passage of a better one.

GENERAL REMARKS.

Neal Dow, Esq. The people of Massachusetts should at once project a series of conventions throughout the State, to call out a general movement of the people for such a law as we have; and a law founded on the same principles is the only one that can succeed. A *distant imitation* of our law will not answer; ours is founded in long experience and a thorough knowledge of the subject, as we think; and any law which comes much short of ours will not be effectual. * * * Our law has been forced from our legislature by the common people, *the voters*, with but little help from men of high standing and

influence; and it will be so with yours if it succeeds.

Rev. F. Yates. The working of the law has exceeded our most sanguine expectations. In this city (Gardiner) the open sale is entirely suppressed.

Dr. C. Jordan. A great incidental power of the law is in the removal of temptation from rum-drinkers. Many intemperate men rejoice to have temptation removed. At this moment thousands of such are now supporting their families respectably, and rejoicing in their prosperity, and would tremble at the repeal of the law. The greatest obstacle the law has to meet, is the influence of Boston rum and Boston money. Pass such a law in your own State, *if you wish ours to remain permanent.* You can do more in this way than in any other, *perhaps more than we can do ourselves.*

J. E. Godfrey, Esq. Maine is already de riving great benefit from this law. Pauperism and crime are diminishing, and intemperate men reforming. We cannot expect that the law will suppress drinking, but it will and does stop the open sale, and many debasing effects. It is understood that Massachusetts dealers are determined to use all their influence to promote its repeal. You will do us a service by endeavoring to give them sufficient employment at home.

Rev. C. Palfrey. The law has been a matter of wonder to me from the beginning. It took me entirely by surprise. It was not

preceded by the usual preparatory discussion, preceding an extraordinary step in legislation. When I first read it, I regretted it. I thought it far outwent public opinion, that it could not be enforced, that any attempt to enforce it would make trouble, and would re-act unfavorably. I have been surprised again to find these apprehensions so groundless, that the law has been so universally and quietly submitted to.

Rev. J. P. Richardson, of Otisfield. There is a mystery about the state of matters in Maine, which I can hardly solve. The passage of our temperance law by so overwhelming a majority, surprised both the friends and foes of temperance. The general and almost universal submission to the law is still more surprising. We want Massachusetts to do as they sometimes do in our woods; kindle a *back-fire* to stop one conflagration.

Rev. A. Battles. There is scarcely a city or village in the State which has not been greatly improved by the existence of the law. So far as this city (Bangor) is concerned, every one is ready to admit the change. An intoxicated person is now rarely seen. Only about half as many have been imprisoned in the jail during the last three months, as in the three months previous.

Rev. S. C. Fessenden. Our principal opposition to the law comes from out of the State; from the dealers who have been in the habit of visiting our towns annually,

and who come now from Boston and elsewhere, in the hope of smuggling liquor, and vent their spite against the law.

A. P. Higgins, Esq. The law works well, but would far better if Massachusetts had a similar one. At present, Boston is our greatest scourge.

M. Davis, Esq., of Belfast. Our new law, severe as it is, has not met with a tithe of the opposition that the old law did. *It is altogether the most popular with the rumsellers themselves.* There are two reasons for this. First, it is successful, and anything to be popular must succeed. Secondly, it makes us to treat all alike. Formerly one might be convicted and his neighbor escape. But now we take them in course. More than one rumseller in this place has told me "if you can entirely stop the traffic, I am glad of it; but if others sell, I will." We take them at their word, and the traffic here is suppressed, though all the leading influences in the place were against us. Moreover, the law has done more to elevate public sentiment than any we have had. It proves that you may have a law which seems in advance of the public conscience, and build up that conscience by its means. This has been too much overlooked.

FROM PROF. MOSES STUART, OF ANDOVER.

"People of Maine! The God of Heaven bless you for achieving such a victory. Many triumphs have been achieved in the good cause, but none like yours. Others have more or less fought with the drunkards, and the liquor-sellers in the way of arguments and moral suasion, and indirect and inefficient and temporizing legislation. You have followed the most adroit conqueror the world has ever seen, in your scheme of policy, or struggle. You have steered for the capital itself, with all its magazines, and material of war; and these once in your hands, you know the contest cannot long continue. Whence are the arms, and ammunition, and rations to come, when all their deposits are seized. You have the unspeakable advantage of *making war upon all the supplies of war*, and not directly upon the *men* who take the field against you. You combat with the body of sin and death itself, and not with those who are deceived and misled. You do not purpose to destroy those who are misled and drawn to ruin, but to cripple and annihilate the power that misleads them. It is an elevated and noble purpose. When mighty conquerors, and crafty politicians will be forgotten, the laurel on

your brows will be freshening and blooming with a beauty and glory that will be immortal. * * * * *

I know well what liquor-dealers and distillers will say. They allege that their property is taken away, and their means of living prohibited. Very well; but what is your property? It has been applied to procure means to corrupt and destroy the community. Counterfeiters lay out large sums to procure dies for stamping coins, and plates for imitating the best bank bills. Are their establishments to be protected? The erectors of those dreadful places (rightly called) *Hells*, expend very large sums, and adorn them with magnificence. Must the community respect this property? Even honest men erect a slaughter-house, or a manufactory with noisome gasses issuing from it in the midst of a city or town; is this property to be protected? Men adulterate medicines, and congress rises up to a man, and forbids it, not only by legislation, but by active inspecting officers. Are they not in the right? But — are they consistent? There are hundreds of thousands of hogsheads of adulterated liquor, much of it containing rank poison, over which they exercise no inspection, and submit it to no examination. Is this a due protection of the ignorant and unsuspecting part of the community? Scores of thousands die every year, through the influence of these poisons.

And have society no remedy against all this? Maine has nobly said, THEY HAVE. She has spoken with trumpet-tongue, that which eternal truth will sanction. Talk of *property* in the means of corrupting and destroying the community! Why then the robber's cave, and the counterfeiter's shop, where his expensive work is done, is property to be respected! Even the innocent and industrious man, if he undertakes a business which poisons the air, and endangers the life of the citizens, is at once compelled to relinquish his station. How can any man rightly own that as property, which sends forth pestilence and death through a whole community? The plea for property is idle. It is unworthy a moment's regard.

So long as legislatures pursued the criminal *personally*, so long they were sure to be met with false testimony to screen them, and abundance of sympathy with them because of their penalties. It took them longer than one would imagine to find out and believe that drunkards, and the makers of drunkards, will lie. The discovery is made at last. Maine has now laid its hand on that which can tell no lies, and that with which no honest man can sympathize.

Yes, — destroy it as you would a poisonous well, or a hyena, or a tiger, without remorse, and without mercy. Stand between the living and the dead, and stay the plague. Say: Thus far hast thou come, with wasting and desolation in thy train, but not a step

further shalt thou advance. Nor is this all. *Retreat* forthwith. Abandon the ground, thou foul fiend, which thou hast occupied; yea, make a speedy and final retreat. We will bear thy presence no longer; and if thou delayest, we will sweep thee away with the besom of destruction.

* * * * * Give no more room for timidity and skulking in this all-important business. The people should send no man to the legislature for them, who is a coward, or a heretic, here. Let all the excuses be taken away, and every man be brought to feel, that he will never lay down arms, until the camp, and the very citadel of the enemy are taken, and all his arsenals and magazines blown sky-high.

May the shadow of Maine never be less! May she live more than a thousand years, twice told! — This is my toast for the *Dirrigo State*, drunk in pure cold water, but more cheering than all that were ever drunk in wine or brandy. — *Prof. Stuart's letter to the Secretary of American Temperance Union.*

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